

BRAFMAN & ASSOCIATES, P.C.

ATTORNEYS AT LAW

256 FIFTH AVENUE, 2ND FLOOR
NEW YORK, NEW YORK 10001
TELEPHONE: (212) 750-7800
FACSIMILE: (212) 750-3906
E-MAIL: ATTORNEYS@BRAFLAW.COM

BENJAMIN BRAFMAN

MARK M. BAKER
OF COUNSEL
MARC A. AGNIFILO
OF COUNSEL
ZACH INTRATER
OF COUNSEL

ANDREA L. ZELLAN
JACOB KAPLAN
ADMITTED IN NY & NJ
TENY R. GERAGOS
ADMITTED IN NY & CA

October 16, 2023

VIA ECF

The Honorable Margo K. Brodie
Chief United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: In Re Forfeiture Order of Tim Leissner, Miscellaneous Docket No. 23-1505
(MKB)

Dear Chief Judge Brodie:

In advance of the status conference scheduled for tomorrow in the above-captioned case, we write to give Your Honor an update as to our position with respect to the government, Ms. Simmons and Mr. Siazons' request for an additional period of 60 days to allow them to continue settlement discussions. As this Court is aware, Mr. Ng surrendered to the U.S. Marshals on Friday, October 6, 2023, to facilitate his return to Malaysia. He is now in Malaysia, in a custodial setting such that he is not able to speak with counsel. The undersigned is traveling to Malaysia this week to speak with him. Because we cannot speak with our client, we are not in a position to consent to or request an additional period of 60 days to "continue" settlement discussions with the government.¹

Respectfully submitted,



Marc A. Agnifilo
Teny R. Geragos

cc: Counsel for the Government (via ECF)

¹ We note that since we filed our claim on May 5, 2023, the government first reached out to us to engage in any settlement discussions on October 12, 2023, after Mr. Ng had already returned to Malaysia.